
HOUSE BILL No. 1067

DIGEST OF INTRODUCED BILL

Citations Affected: IC 15-5-9.

Synopsis: Dog tax and licenses. Increases the dog tax and fees related to the licensing of dogs. Decreases the number of days after which an impounded dog must be sold or destroyed from 20 to 10.

Effective: July 1, 2004.

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January 13, 2004, read first time and referred to Committee on Ways and Means.

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Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

HOUSE BILL No. 1067

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 15-5-9-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2004]: Sec. 1. (a) The township assessor shall
3 make a diligent census as to the number of dogs owned, harbored, or
4 kept by any person. A person owning or harboring a dog shall pay
5 immediately to the township assessor a tax for each dog owned,
6 harbored, or kept on the same premises, whether owned by that person
7 or some other person, as follows:

8 (1) Except as provided in subsection (d), for each neutered dog,

9 ~~two three~~ **three** dollars ~~(\$2): (\$3)~~.

10 (2) For each nonneutered dog, ~~four six~~ **six** dollars ~~(\$4): (\$6)~~.

11 (3) For each additional dog, ~~six ten~~ **ten** dollars ~~(\$6): (\$10)~~.

12 No dog under six (6) months of age is subject to any tax under this
13 chapter. Whoever becomes the owner or harbinger of a dog after the dog
14 census by the township assessor or any owner or harbinger of a dog for
15 which ~~for any reason~~ the assessor failed to collect the tax, shall, within
16 thirty (30) days after becoming the owner or harbinger of a dog, apply
17 to the assessor or the assessor's designee, pay the required fee, and



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1 procure a tag for the dog.

2 (b) Dogs kept in kennels for breeding, boarding, or training
3 purposes or for sale shall not be assessed an individual license fee, but
4 the owner or keeper shall pay a kennel license fee according to the
5 following schedule:

6 (1) For a major kennel, consisting of fifteen (15) or more dogs, a
7 fee of thirty dollars (\$30).

8 (2) For a minor kennel, consisting of less than fifteen (15) dogs,
9 a fee of twenty dollars (\$20).

10 For each individual dog tag or kennel license issued under this chapter,
11 the township assessor (or trustee who collects the fee) shall retain from
12 the fee described in this section, an administrative fee of ~~fifty cents~~
13 ~~(\$0.50): one dollar (\$1)~~. Administrative fees collected by the assessor
14 shall be deposited in the county general fund, and administrative fees
15 collected by the trustee shall be deposited in the township general fund.

16 (c) Upon the payment of the license fee required by subsection (b),
17 the township assessor shall deliver to the owner or keeper of the kennel
18 a proper license together with a metallic tag for each dog in ~~such the~~
19 kennel. The license shall be dated and numbered and shall bear the
20 name of the county issuing it and the name and address of the owner of
21 the kennel licensed, and a description of the breed, number, sex, and
22 age of the dogs kept in ~~such the~~ kennel. Any person becoming the
23 owner of a dog kennel shall, within thirty (30) days after becoming the
24 owner, apply to the township assessor, township trustee, or assessor's
25 designee and, upon payment of the required fee, procure a license and
26 a metallic tag for all dogs kept in the kennel.

27 (d) A county council may increase the tax on neutered dogs imposed
28 under subsection (a) from ~~two three~~ dollars ~~(\$2) (\$3)~~ to ~~three four~~
29 dollars ~~(\$3): (\$4)~~.

30 (e) A township assessor (or a township trustee who has the duties of
31 a township assessor) may designate one (1) or more licensed
32 veterinarians or humane societies in the assessor's township to collect
33 the dog taxes and kennel license fees and issue the licenses under this
34 chapter. A designee may retain ~~seventy-five cents (\$0.75)~~ **two dollars**
35 **(\$2)** as a fee for that service and remit the balance of the money
36 collected to the township trustee by the tenth day of each month. As
37 used in this subsection, "humane society" includes an animal shelter,
38 animal control center, or other animal impounding facility that has as
39 its purpose the humane treatment of animals.

40 SECTION 2. IC 15-5-9-8 IS AMENDED TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2004]: Sec. 8. (a) All money derived by the
42 taxing of dogs under this chapter shall constitute a fund known as the

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township dog fund that the township trustee shall use in the manner provided in this chapter for the payment of the following:

(1) Damages, less insurance proceeds, sustained by owners of the following stock, fowl, or game killed, maimed, or damaged by dogs:

(A) Sheep.

(B) Cattle.

(C) Horses.

(D) Swine.

(E) Goats.

(F) Mules.

(G) Chickens.

(H) Geese.

(I) Turkeys.

(J) Ducks.

(K) Guineas.

(L) Tame rabbits.

(M) Game birds and game animals held in captivity under authority of a game breeder's license issued by the department of natural resources.

(N) Bison.

(O) Farm raised cervidae.

(P) Ratitae.

(2) The expense of taking the Pasteur treatment for hydrophobia incurred by any person bitten by or exposed to a dog known to have hydrophobia, within any township of Indiana.

(b) Any person requiring the treatment described in subsection (a)(2) may select the person's own physician.

(c) No damages shall be assessed or paid under this chapter on sheep except where individual damage exists or is shown.

(d) This subsection applies to a county whose legislative body has acted under this subsection. A county legislative body may designate by ordinance one (1) humane society located in that county to receive ~~fifty cents (\$0.50)~~ **one dollar (\$1)** from each dog tax payment collected under this chapter.

(e) A humane society designated under subsection (d) shall use the funds disbursed to the society to maintain an animal shelter.

(f) If a county does not designate a humane society to receive payments under subsection (d), those amounts remain in the township dog fund.

SECTION 3. IC 15-5-9-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 14. On and after the

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1 fifteenth day of June of each year every dog on which the tax has not
2 been paid as herein provided, is hereby declared to be a public
3 nuisance and it shall be the duty of the sheriff of every county, the
4 marshal of every town, the police officer of every city, the constable of
5 every township, and the members of the state police force or game
6 wardens to cause such dogs to be captured and placed into city, town
7 or county dog pounds. Such dogs may be reclaimed by their owners
8 upon exhibition of evidence that the tax on such has been paid and
9 upon payment of a reasonable fee not to exceed ~~twenty-five cents~~
10 ~~(\$25)~~ **three dollars (\$3)** per day. In the event that the dogs impounded
11 as provided in this chapter shall not be reclaimed within ~~twenty (20)~~
12 **ten (10)** days, they shall be sold or destroyed as the impounding
13 officials may decide.

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